



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

May 21, 2012

To: Supervisor Zev Yaroslavy, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

This memorandum provides a report on the Legislative Analyst's Office overview of the May Revision; a status on County-advocacy legislation related to: 1) employee relations commissions; 2) the definition of a safety net provider for the purpose of determining default enrollment into a Medi-Cal managed care plan; 3) services for homeless youth; and 4) prescription drug refills; and a report on County interest legislation regarding confidentiality of property records for public safety officials.

Legislative Analyst's Office Report on the May Budget Revision

On May 18, 2012, the Legislative Analyst's Office (LAO) released a report titled: *The 2012-13 Budget: Overview of the May Revision*. The LAO generally concurs with Governor Brown's economic and revenue forecasts. However, the LAO believes that the Governor overstates the amount of property revenues from former Redevelopment Agencies (RDAs) in FY 2011-12 and FY 2012-13. The May Revision assumes that K-14 schools and community colleges will receive \$1.4 billion in FY 2012-13 and \$600.0 million in FY 2013-14 and the remaining revenues from the dissolution of RDAs will be distributed to other taxing entities, including the County General Fund, Fire, Public Library, Flood Control, and other special districts.

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

According to the Legislative Analyst's Office, the Administration has overstated the amount of property tax revenues that would be distributed to schools by \$900.0 million due to: 1) updated estimates of the amounts of unencumbered funds held by RDA successor agencies will not be available until county audits are complete in July 2012; 2) the State Controller's Office review of transferred RDA assets is in its early stages and the State Controller's authority to order the return of assets will likely be challenged in court; and 3) some RDAs assets transferred over the last year have been spent or contractually committed to third parties.

However, it should be noted that on May 15, 2012, the Administration released critical trailer bill legislation to establish the framework for successor agencies to transfer cash assets, to include Low Moderate Income Housing Funds, not obligated or reserved for legally authorized purposes to cities, counties, special districts and K-14 schools in FY 2012-13. The proposed trailer bill language will be considered along with the Governor's May revision. ABX1 26 of 2011 requires successor agencies to make payments for enforceable obligations and to principally wind up the affairs of the dissolved RDAs. Former RDA assets, not otherwise encumbered or reserved, are to be distributed to the affected local taxing entities in the same manner as property tax revenues, after debt obligations and passthrough agreements are paid. This office is working with affected departments and will report to your Board on the potential impact of the proposed language.

The Legislative Analyst's Office recommends that the Legislature carefully review the Administration's legislative proposal and, where appropriate, take actions to clarify and strengthen the authority of the Administration and the State Controller to recoup transferred RDA assets and have them distributed in the budget year.

The full report may be accessed at: <http://www.lao.ca.gov/laoapp/>

Status of County-Advocacy Legislation

County-opposed AB 1659 (Butler), which as introduced on February 14, 2012, would amend the operational independence of the County of Los Angeles and City of Los Angeles employee relations commissions, passed the Assembly Floor by a vote of 47 to 24 on May 17, 2012. This measure now proceeds to the Senate.

County-opposed AB 2002 (Cedillo), which as amended April 30, 2012, would expand the definition of an outpatient safety net provider for the default enrollment into a Medi-Cal managed care to include for-profit, plan-owned, private providers, was placed on the Assembly Appropriations Committee suspense file on May 16, 2012.

County-supported AB 2547 (Blumenfield), which as amended on May 1, 2012, would create the State Office of the Homeless Youth Advocate for purposes of coordinating services for homeless youth, was placed on the Assembly Appropriations Committee suspense file on May 16, 2012.

County-supported SB 1301 (Hernández), which as amended on May 1, 2012, would allow a pharmacist to dispense up to a 90-day supply of a prescription drug refill, unless the prescriber indicates otherwise, passed the Senate Floor by a vote of 34 to 0 on May 14, 2012. This measure now proceeds to the Assembly.

Legislation of County Interest

AB 2299 (Feuer), which as amended on May 3, 2012, would authorize the board of supervisors of a county to establish a program that requires the names of certain public safety officials to be redacted from any property record of principal residence that is disclosed to the public. The bill would also authorize a county to charge a fee for participation in the program and outlines requirements that would apply to the sale of aggregate information.

Existing law allows any instrument or judgment affecting the title to or possession of real property to be recorded by a county and requires a document that affects a transfer or encumbrance in real property to include the name or names in which the interest appears of record. Existing law further requires, pursuant to the Public Records Act, State and local agencies to make public records that are not otherwise exempt from disclosure available upon request.

AB 2299 would allow a board of supervisors to create a voluntary confidentiality program that requires the names of certain public safety officials to be redacted upon their request from a property record of principal residence that is disclosed to the public in order to protect their safety. The bill would allow counties to establish a system whereby property records are maintained internally that include the names of public safety officials who have requested redaction under the program and authorizes a county to charge the requesting public safety official a reasonable fee for participation in the program. AB 2299 requires counties that implement the confidentiality program and sell aggregate data to require that the names of program participants remain confidential and not be posted on any internet web site or solicited, sold or traded. Finally, the bill allows a public safety official whose name is made public in violation of the measure's provisions to seek liability but provides that a county that exercises reasonable care shall not be held civilly liable for the unintentional disclosure of the name of a public safety official.

The measure also defines the categories of public safety officials that could request the confidentiality of their property records to include: 1) an employee of a Federal, state or local law enforcement agency not under suspension or otherwise lacking in good standing, excluding those employees whose principal duties are clerical; 2) a judge, Federal magistrate, court commissioner, or referee; 3) an attorney of a Federal, state or local prosecutorial or defense agency engaged in criminal matters; 4) an employee of a prosecutorial or defense agency whose responsibilities routinely place the employee in personal contact with persons under investigation; and 5) an employee of Federal, state or local agency who supervises inmates in a custody setting, or a probation or parole officer.

According to the Registrar-Recorder, while they are supportive of ensuring the safety of public safety personnel, there are operational concerns regarding implementation of AB 2299's provisions. Specifically, the bill would require a reconfiguration of the Registrar-Recorder's processes to provide for redaction of requesting officials' names. This reconfiguration would potentially result in significant costs in software modifications, record keeping processes and staff training. Furthermore, the Registrar-Recorder indicates that the cost recovery mechanism is somewhat vague in the current version of the bill and that the allowance for recovery of full actual costs could be more fully defined. Finally, notwithstanding the language holding a county harmless for liability in the event a participating public safety official's information is released to the public, the Registrar-Recorder is concerned that the County may still be named in legal actions associated with the release of information.

This office has been monitoring AB 2299 and continues to work with affected departments to analyze the bill's potential impact to the County and provide feedback to the author of the bill.

AB 2299 is supported by the Association for Los Angeles Deputy Sheriffs; City of Los Angeles; Long Beach Police Officers Association; Los Angeles City Attorney's Office; Los Angeles County Professional Peace Officers Association; Los Angeles County Sheriff's Department; Los Angeles Police Protective League; Association of Orange County Deputy Sheriffs; California Correctional Peace Officers Association; California Fraternal Order of Police; California Police Chiefs Association; California State Sheriffs' Association; Chief Probation Officers of California; Sacramento County Deputy Sheriffs Association; Sacramento County Sheriff's Department; Santa Ana Police Officers Association.

The measure is opposed by the California Assessors' Association; California Escrow Association; California Land Title Association; California Newspaper Publishers Association; County Records Association of California; and the Santa Clara County Assessor's Office.

Each Supervisor
May 21, 2012
Page 5

AB 2299 passed the Assembly Floor by a vote of 65 to 0 on May 17, 2012. This measure now proceeds to the Senate.

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:sb

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants